



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
YVIN et al)
Serial No. : 10/668,665) Art Unit: 1623
Filed: September 23, 2003) Examiner: ISSAC, Roy P

For : Therapeutical treatment with oligobeta(1,3)glucans
drugs used in said treatment.

DECLARATION UNDER RULE 132

To Honorable Commissioner of Patents and Trademarks
Washington, D.C.

Sir :

I, VACLAV VETVICKA, of University of Louisville
School of Medicine, Louisville, KY, USA, do solemnly
declare :

THAT I am graduated in biology and microbiology and
I am Professor of Pathology;

THAT I am a named inventor of the present patent
application n°10/668,665 and that I am fully familiar
therewith;

THAT I have read and understood the Office Action
of November 14, 2006 in connection with the present
patent application ;

THAT, the experiments described in the attached
test report were carried out under my supervision;

THAT, TNF alpha concentration in blood 48 hours
post injection of 250µg/mouse of laminarin, is 0 pg/mL.

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001, of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

5-10-07



Vaclav VETVICKA



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Philippe YVIN et al.)
Serial No. : US 10/668,665) Group Art Unit : 1623
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in said treatment.

TEST REPORT

Concentration of TNF alpha in pg/mL of blood of treated mice after
different durations of treatment

This test report aims at completing the results presented in Example 7, Table 6, of US Serial N°10/668,665, where a data was missing.

Protocol was the same as described in Example 7. 250µg/mouse of laminarin, laminaritetraose and laminaripentaose were injected intraperitoneally, and after various time intervals (24 hours, 48 hours), the mice were killed and blood was collected. The serum of the collected blood was separated, collected and stored at -80°C for no more than 1 week. The level of TNF-alpha in the serum samples was evaluated using a commercial kit marketed as OptEIA Mouse TNF-alpha (Mono/Mono) Set by the Company Pharmingen according to the manufacturer's instructions.

At 48 hours, after injection of 250µg/mouse of laminarin, the TNF alpha concentration in the serum was 0 pg/mL (zero pg/mL).